

REMARKS

By the Amendment of October 15, 2007, Applicants have canceled claims 10, 20, and 39-54, without prejudice or disclaimer, and added new claims 55-74. Claims 55-74 are pending.

In the Notice of January 8, 2008, the Examiner objected to the Amendment of October 15, 2007, under 37 C.F.R. §§ 1.111(b) and (c), for not pointing out the specific distinctions believed to render new claims 55-74 patentable over applied references and not pointing out the patentable novelty of the claims in view of the state of the art disclosed by the references. Applicants respond to the Examiner's objection, as follows:

In the Office Action¹ of June 28, 2007, the Examiner

- (a) rejected claims 10, 20, and 39-54 under 35 U.S.C. § 112, ¶ 2 as indefinite,
- (b) rejected claims 20 and 44-48 under 35 U.S.C. § 101 as directed to non-statutory subject matter,
- (c) rejected claims 10, 20, 39, 42-44, 47, and 48 under 35 U.S.C. § 102(b) over the article, "Recent Enhancements to PVM" (*Beguelin*),
- (d) rejected claims 40, 41, 45, and 46 under 35 U.S.C. § 103(a) over *Beguelin* and the article, "How Debuggers Work" (*Rosenberg*),
- (e) rejected claims 49, 50, 53, and 54 under 35 U.S.C. § 103(a) over *Beguelin* and U.S. Patent No. 5,193,180 (*Hastings*), and

¹ Applicants note that the Office Action contains numerous statements concerning the related art, claims, etc. Regardless of whether any such statement is addressed specifically herein, Applicants decline to automatically subscribe to any assertion or characterization in the Office Action.

(f) rejected claims 51 and 52 under 35 U.S.C. § 103(a) over *Beguelin*,
Hastings, and *Rosenberg*.

Applicants respectfully traverse the rejections of claims 10, 20, and 39-54. Applicants, however, have canceled claims 10, 20, and 39-54, without prejudice or disclaimer of the subject matter contained therein. Accordingly, the rejections of claims 10, 20, and 39-54 are moot. Applicants reserve the right to pursue the subject matter in those claims at a later time in the present application or another application, such as a continuation.

Applicants have added new claims 55-74. New claims 55-74 are allowable over *Beguelin*, *Rosenberg*, and *Hastings*, at least because those references fail to teach or suggest, separately or in combination, each and every element of the claims. For example, *Beguelin* fails to teach or suggest at least “a virtual machine profiler interface that communicates information regarding activities of a garbage collector; and a profiler that reports the activities,” as recited in claim 55. *Beguelin* merely discloses a Parallel Virtual Machine (PVM) system that lets programmers use a network of heterogeneous computers as a single multicomputer. *Beguelin*, at 108. A feature of the PVM system supports tracing of PVM programs for debugging of parallel programs. *Id.*, at 119. When tracing is turned on, events are generated for PVM calls. *Id.*, at 120. This does not teach or suggest, “a virtual machine profiler interface that communicates information regarding activities of a garbage collector; and a profiler that reports the activities,” as recited in claim 55. Indeed, *Beguelin* makes no mention of garbage collection, a virtual machine profiler interface that communicates information regarding such activities, or a profiler that reports them.

Further, *Rosenberg* and *Hastings* fail to cure the deficiencies of *Beguelin*. That is, *Rosenberg* and *Hastings* fail to teach or suggest at least “a virtual machine profiler interface that communicates information regarding activities of a garbage collector; and a profiler that reports the activities,” as recited in claim 55. Pages 180–182 of *Rosenberg*, provided by the Examiner, merely discuss debuggers in a multi-threaded system. *Rosenberg*, at 180. *Hastings* simply discloses a method for inserting instructions and data into an existing relocatable object file of a computer program. *Hastings*, col. 1, lines 20–25.

Accordingly, *Beguelin*, *Rosenberg*, and *Hastings* do not teach or suggest, separately or in combination, each and every element of claim 55. Thus, claim 55 is allowable. Claims 56–64 are also allowable over *Beguelin*, *Rosenberg*, and *Hastings* at least by virtue of their dependence upon allowable claim 55, in addition to the patentable subject matter respectively recited therein. Further, although of different scope than claims 55–64, claims 65–74 are allowable at least for reasons similar to those discussed above for claims 55–64.

CONCLUSION

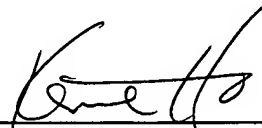
Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims. Applicants invite the Examiner to contact Applicants' representative below if he has any questions or would like to discuss any issue regarding this application.

Please grant any extensions of time required to enter this response and charge
any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: January 30, 2008

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